REMARKS

Claims 1, 3, 4, 6-17, 20-26, 29, and 40-48 are pending in the Application, of which claims 1, 24, 25, 26, 40, 42, 47 are independent. Claims 2, 5, 18, 19, 27, 28 and 30-39 had been previously canceled.

Applicants respectfully urge that all of the claims are patentable and in condition for allowance for at least the reasons set forth below.

I. Summary of Rejections

In the Office Action,

claims 1, 3-4, 6, 9-13, 16-17, 20, 22-26, 29, 40-44 and 46-48 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0031019 to Lamanna et al. (hereafter "Lamanna");

claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of U.S. Patent No. 6,407,753 to Budinsky et al. (hereafter "Budinsky");

claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of U.S. Patent No. 6,070,006 to Iriuchijima (hereafter "Iriuchijima");

claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of U.S. Patent No. 6,300,949 to Shudo et al. (hereafter "Shudo");

claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of U.S. Patent Publication No. 2003/0132964 by Santori (hereafter "Santori").

These rejections are discussed below.

II. Claim Rejections under 35 U.S.C. § 102

As provided above, claims 1, 3-4, 6, 9-13, 16-17, 20, 22-26, 29, 40-44 and 46-48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lamanna. _See_ Office Action, page 2, § 3. Applicants respectfully traverse this rejection.

1. Claims 1, 3-4, 6, 9-13, 16-17, 20 and 22-23

Claim 1 recites:

1.   A computer-readable medium holding computer-executable instructions, the medium comprising:
        instructions for selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system, said selected at least one characteristic being at least one of a functional attribute, a compiled attribute, an execution data field, a block method or a block parameter;
        instructions for receiving a designation of at least one destination block in said executable block diagram model;
        instructions for providing said designated at least one destination block with said selected at least one characteristic if said designated at least one destination block does not have said selected at least one characteristic; and
        instructions for propagating a value of said selected at least one characteristic from at least one source block in said plurality of source blocks to said destination block.

Applicants respectfully urge that Lamanna does not disclose at least the following feature of claim 1: *selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system.*

Lamanna generally discusses a debugger utility that allows a graphically or visually created application program to be run in a debug mode. The graphically created program includes a block diagram that has plurality of icons. *See* Abstract. In Figure 9, Lamanna illustrates a graphical program that generates a sum by adding two numbers together, and then compares the sum to a third number to see whether the sum is greater than the third number. *See* [0100] and Figure 9.

The Examiner alleges that items 918-920, i.e. three text box icons, in Figure 9 of Lamanna are equivalent to a plurality of source blocks in an executable block diagram model. *See* Office Action, page 2. The Examiner further alleges that items 918-920 consist of numeric text, which the Examiner argues is a common characteristic in a math environment. *See* Office Action, page 2.

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Applicants' claim 1 includes *selecting* *at least one characteristic* **common to** *a plurality of source blocks*. The Examiner asserts that the numeric text of items 918-920 of Lamanna is equivalent to at least one characteristic common to a plurality of source blocks recited in Applicants' claim. However, Applicants respectfully submit that claim 1 is a method claim that recites the step of *selecting* at least one characteristic common to a plurality of source blocks. Lamanna is silent about **selecting** the numeric text of items 918-920 illustrated in Figure 9.

The graphical model illustrated in Figure 9 of Lamanna adds two numeric values contained in components 918 and 919. The sum is then compared to a numeric value contained in component 920. Note that, Lamanna does not *select* the numeric values of the components 918-920. The numeric values are sent to a sum component that calculates the sum of the values. There is no *selecting* step in Lamanna. Applicants respectfully urge that merely adding or comparing the contents of components is not equivalent to *selecting at least one characteristic common to a plurality of source blocks*.

In addition, Lamanna fails to disclose *a block of said executable block diagram model representing an elemental dynamic system*, as further provided in Applicants' claim 1. The section of Lamanna cited by the Examiner as disclosing this feature indicates that icons can be graphically linked together to form a block diagram that represents the logical operation of the application program being developed. *See* [0102]. However, Lamanna fails to disclose that the text box icons 918-920 *represent an elemental dynamic system*. The text box icons of Lamanna merely represent numbers, i.e. operands, that are to be used in mathematical operations such as addition. These numbers do not constitute elemental dynamic systems. The numbers are static. Lamanna does not disclose *a block of said executable block diagram model representing an elemental dynamic system*.

For at least the reasons set forth above, Applicants respectfully urge that Lamanna fails to disclose all of the features of claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the above §102 rejection of claim 1.

Claims 3-4, 6, 9-13, 16-17, 20 and 22-23 depend from claim 1 and, as such, incorporate each and every feature of claim 1. Applicants urge that claims 3-4, 6, 9-13, 16-17, 20 and 22-23 are allowable for at least the reasons discussed above for claim 1. Accordingly, Applicants

respectfully request that Examiner withdraw the above § 102 rejection of claims 3-4, 6, 9-13, 16-17, 20 and 22-23.

2. Claims 24-26, 29, 40-44 and 46-48

Independent claims 24, 25, 26, 40, 42 and 47 include features that are similar to *selecting at least one characteristic* and *a block representing an elemental dynamic system.*

In light of the arguments presented above with respect to claim 1, Applicants respectfully urge that Lamanna does not disclose at least these features of claims 24, 25, 26, 40, 42 and 47.

Dependent claims incorporate each and every feature of the independent claim upon which they depend. Applicants urge that claims 24, 25, 26, 29, 40-44 and 46-48 are allowable for at least the reasons discussed above.

Accordingly, Applicants respectfully request that Examiner withdraw the above § 102(e) rejection of claims 24, 25, 26, 29, 40-44 and 46-48.

III. Claim Rejections under 35 U.S.C. § 103

A. Claim 8

In the Office Action, claims 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of Budinsky. *See* Office Action, page 12, § 5. Applicants respectfully traverse this rejection.

Claim 8 depends from independent claim 1 and, as such, incorporates each and every feature of claim 1. In light of the foregoing remarks, Applicants respectfully urge that Lamanna does not disclose or suggest at least *selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system*, as recited in Applicants' claim 1.

Budinsky fails at curing the shortcomings of Lamanna with respect to disclosing or teaching this claim feature. Budinsky generally discusses automatic and user guided rule-based matching and reconciliation for integrating one or more entities. *See* Col. 2, lines 56-59.

Budinsky further indicates that the matching/reconciliation rules are stored such that they can be recalled and applied during a subsequent editing session when the input entities change or a new composite entity of the inputs is desired. *See* Col. 2, lines 59-63.

Nowhere does Budinsky disclose or suggest at least ***selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system***.

For at least the reasons set forth above, Applicants respectfully urge that Lamanna and Budinsky, taken either singly or in any reasonable combination, fail to disclose or suggest all of the features of claim 8. Accordingly, Applicants respectfully request that the Examiner withdraw the above §103 rejection of claim 8.

B. Claims 7 and 21

In the Office Action, claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of Iriuchijima. *See* Office Action, page 12, § 6. Applicants respectfully traverse this rejection.

Claims 7 and 21 depend from claim 1 and, as such, incorporate each and every feature of claim 1. In light of the foregoing remarks, Lamanna does not disclose or suggest at least ***selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system,*** which is present in claims 7 and 21. In addition, Iriuchijima fails to disclose or suggest at least this claim feature.

Therefore, Applicants respectfully urge that Lamanna and Iriuchijima, taken either singly or in any reasonable combination, fail to disclose or suggest at least ***selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system***, which is present in claims 7 and 21.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 7 and 21 under 35 U.S.C. § 103(a).

C. Claims 14 and 15

In the Office Action, claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of Shudo. *See* Office Action, page 13, § 7. Applicants respectfully traverse this rejection.

Claims 14 and 15 depend from claim 1 and, as such, incorporate each and every feature of claim 1. In light of the foregoing remarks, Lamanna does not disclose or suggest at least *selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system*, which is present in claims 14 and 15. Shudo fails to disclose or suggest at least this claim feature.

Therefore, Applicants respectfully urge that Lamanna and Shudo, taken either singly or in any reasonable combination, do not disclose or suggest at least *selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system*, which is present in claims 14 and 15.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 14 and 15 under 35 U.S.C. § 103(a).

D. Claim 45

In the Office Action, claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamanna in view of Santori. *See* Office Action, page 14, § 8. Applicants respectfully traverse this rejection.

Claim 45 depends from claim 42 and, as such, incorporates each and every feature of claim 42. As noted above Lamanna does not disclose or suggest at least *selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system*, which is present in claim 45. Santori fails to disclose or suggest at least this claim feature.

Therefore, Applicants respectfully urge that Lamanna and Santori, taken either singly or in any reasonable combination, do not disclose or suggest at least ***selecting at least one characteristic common to a plurality of source blocks in an executable block diagram model representing a dynamic system, a block of said executable block diagram model representing an elemental dynamic system***, which is present in claim 45.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claim 45 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the above comments, Applicants believe the pending application is in condition for allowance and urges the Examiner to pass the claims to allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-033RCE2. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: September 8, 2010   Respectfully submitted,

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